IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.128 OF 2006
IN
SUMMARY SUIT NO.639 OF 1998

IIT Capital Services Ltd. Plaintiffs

versus

Ashok Organic Industries Ltd. Defendant

and

NU-TEC Corporate Service Ltd. Applicants

Ms.Dipa Mani i/by S.K.Srivastav & Co. for plaintiffs.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 6th March 2006

PC :

1. All that the plaintiff seeks is that the applicant's name be substituted in their place in the suit because the applicant Company is the one which has taken over the plaintiff herein. Upon proceedings under Companies Act, all that is sought is a formal amendment to incorporate changed name of plaintiff. No prejudice will be caused to the defendants if the formal amendment is granted. Grant of such formal amendment does

not affect the merits of the controversy and all the contentions in that behalf are expressly kept open. Chamber Summons is allowed in terms of prayer clause (a). Amendment to be carried out within a period of two weeks. Amended plaint to be served four weeks thereafter.

(S.C.DHARMADHIKARI, J.)